SINGLE BENCH

C.f. 100/-

IN THE HIGH COURT OF JUDICATURE OF C.G. AT BILASPUR

WRIT PETITION (S) NO. 3809 /2006

PETITIONER Surendra Pratap Singh, son of Shri Ram Raj Singh, aged 54 years, Field Assistant Work Charge Jal Sansadhan Bemetara, Sub-Division NO. 2 Bemetara, District Durg, Chhattisgarh.

P.R. No. 3866/06
Presented by Shri A.R. Yadav
dated 24/11/06

VERSUS

RESPONDENTS (1) State of Chhattisgarh, Through Chief Secretary D.K.S. Bhawan Raipur (Chhattisgarh)

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CLERK TO A. G. BILASPUR

(2) Principal Secretary Department of Water Resources D.K.S. Bhawan Raipur, (Chhattisgarh)

(3) Engineer in Chiefof Water Resources Department Sehora Bhawan Raipur, (Chhattisgarh)

(4) Chief Engineer Mahanandi Godawari Kachhar Shanti Nager Raipur, (Chhattisgarh)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA, FOR ISSUANCE OF WRIT IN THE NATURE WRIT/WRITS, ORDER/ORDERS, DIRECTION/ DIRECTIONS.

XI-HC-78

(31)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक .W.P.No..780.9.. **सन्** 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	4.8.2006:-	

Shri J.S. Baraik, counsel for the petitioner.

Shri Sumesh Bajaj, Government Advocate for the State/ respondents, on advance copy.

Heard both the counsel.

By the instant petition, the petitioner, who is working as Work Charge, Field Officer in the Water Resources Department at Bemetara, has challenged his transfer order dated 30-6-2006 on the ground that the said transfer is against the policy of the Government dated 26th May 2006 for the reason that the petitioner has only completed 2 years of service at Bemetara whereas, the policy envisages that at least transfers of those employees should be made who have completed 3 years of service at one place.

Perusal of the policy shows that sub-clause (4) of Clause 2 of the policy envisages that the employees who have not completed 3 years of service at one place should not be transferred.

Learned counsel for the petitioner submitted that there is no allegation against the petitioner, even then he has been transferred, therefore, the petitioner may be allowed to make a representation to respondent No.3 and he be directed to decide the same, to which learned counsel for respondents has no objection.

Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and without expressing any opinion

P.T.O.

XI-HC-78

(32)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

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	on the merit of the case, the prayer made by learned counsel for the petitioner is just, fair and reasonable. Therefore, the petitioner is allowed to make a detailed representation along with a copy of this petition to respondent No.3 within a period of 10 days from today and in turn, respondent No.3 is directed to decide representation of the petitioner within a period of 30 days from the date of receipt of representation, after considering all the points raised by the petitioner, in accordance with law. With the direction aforesaid, the petition stands disposed of. Consequently, M.(W.)P. No.2969/2006 also stands disposed of. Parties are entitled for certified copy of this order. Sd/- L.C.Bhadoo Judge	

Barve

P.T.O.